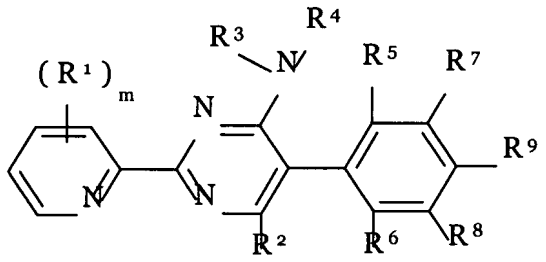
Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1-11 (Canceled)

12. (Currently Amended) A 2-(2-pyridyl)-5-phenyl-6-aminopyrimidine of the formula I,



(I)

wherein:

R^1 is halogen, hydroxyl, cyano, oxo, nitro, amino, mercapto, C_1-C_6-alkyl, C_1-C_6-haloalkyl, C_2-C_6-alkenyl, C_2-C_6-alkynyl, C_3-C_6-cycloalkyl, C_1-C_6-alkoxy, C_1-C_6-haloalkoxy, carboxyl, C_1-C_7-alkoxycarbonyl, carbamoyl, C_1-C_7-alkylaminocarbonyl, C_1-C_6-alkyl-C_1-C_6-alkylaminocarbonyl, morpholinocarbonyl, pyrrolidinocarbonyl, C_1-C_7-alkylcarbonylamino, C_1-C_6-alkylamino, di(C_1-C_6-alkyl)amino, C_1-C_6-alkylthio, C_1-C_6-alkylsulfinyl, C_1-C_6-alkylsulfonyl, hydroxysulfonyl, aminosulfonyl, C_1-C_6-alkylaminosulfonyl or di(C_1-C_6-alkyl)aminosulfonyl;

m is 0, 1, 2, 3 or 4;

R^2 is halogen, cyano, C_1-C_6-alkyl, C_1-C_6-haloalkyl, C_1-C_6-alkoxy, C_1-C_6-haloalkoxy or C_3-C_6-alkenyloxy;

R^3, R^4 independently of one another, are hydrogen, C_1-C_6-alkyl, C_1-C_6-haloalkyl, C_3-C_6-cycloalkyl, C_3-C_6-halocycloalkyl, C_2-C_6-alkenyl, C_2-C_6-haloalkenyl, C_3-C_6-cycloalkenyl, C_2-C_6-alkynyl, C_2-C_6-haloalkynyl or C_3-C_6-cycloalkynyl, or

R^3 and R^4 can also, together with the nitrogen atom to which they are bonded, form a five- or six-membered ring which may be interrupted by an atom from the group consisting of O, N and S and/or may carry one or more substituents from the group consisting of halogen, C_1-C_6-alkyl, C_1-C_6-haloalkyl or oxy-C_1-C_3-alkylenoxy or in which two adjacent carbon atoms or one N- and one neighboring carbon atom can be connected via a C_1-C_4-alkylene chain;

R^5 is halogen, C_1-C_6-alkyl or C_1-C_6-haloalkyl;

R^6 is hydrogen or one of the groups mentioned under R^5;

R^7, R^8 independently of one another, are hydrogen, halogen, C_1-C_6-alkyl or C_1-C_6-haloalkyl;

R^9 is hydrogen, halogen, hydroxyl, cyano, C_1-C_6-alkyl, C_1-C_6-alkoxy, C_3-C_6-cycloalkoxy, C_1-C_6-haloalkoxy, C_1-C_6-alkoxycarbonyl or C_1-C_6-alkylaminocarbonyl.

13. (Previously Presented)A compound as claimed in claim 12, wherein m is zero or 1, 2 or 3 and R^1 has the following meaning:

halogen, hydroxyl, cyano, nitro, amino, mercapto, C_1-C_6-alkyl, C_1-C_6-haloalkyl, C_2-C_6-alkenyl, C_2-C_6-alkynyl, C_3-C_6-cycloalkyl, C_1-C_6-alkoxy, C_1-C_6-haloalkoxy, carboxyl, C_1-C_7-alkoxycarbonyl, carbamoyl, C_1-C_7-alkylaminocarbonyl, C_1-C_6-alkyl-C_1-C_6-alkylaminocarbonyl, morpholinocarbonyl, pyrrolidinocarbonyl, C_1-C_7-alkylcarbonylamino, C_1-C_6-alkylamino, di(C_1-C_6-alkyl)amino, C_1-C_6-alkylthio, C_1-C_6-alkylsulfinyl, C_1-C_6-alkylsulfonyl, hydroxysulfonyl, aminosulfonyl, C_1-C_6-alkylaminosulfonyl or di(C_1-C_6-alkyl)aminosulfonyl.

14. (Currently Amended) A compound as claimed in claim 12, wherein:

R^2 is halogen, C_1-C_6-alkyl or C_1-C_6-alkoxy;

R^3, R^4 independently of one another, are hydrogen, C_1-C_6-alkyl, C_1-C_6-haloalkyl, C_3-C_6-cycloalkyl or C_2-C_6-alkenyl; or

R^3 and R^4 can also, together with the nitrogen atom to which they are bonded, form a five- or six-membered ring which may be interrupted by an oxygen atom or may carry a C_1-C_6-alkyl substituent;

R^5, R^6 independently of one another, are halogen;

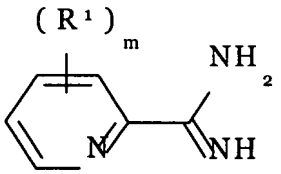
R^7, R^8 independently of one another, are halogen;

R^9 is hydrogen, halogen, hydroxyl, C_1-C_6-alkoxy or C_1-C_6-alkoxycarbonyl.

15. (Previously Presented) A compound as claimed in claim 12, wherein R^2 is chlorine.

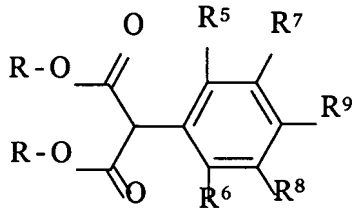
16. (Previously Presented) A compound as claimed in claim 12, wherein the combination of the substituents R^5 to R^9 has the following meanings: 2-methyl-4-fluoro; 2-fluoro-4-methyl; 2,4-dimethyl; 2-chloro-6-fluoro; 2,6-difluoro; 2,6-dichloro; 2-methyl-6-fluoro; 2,4,6-trifluoro; 2,6-difluoro-4-methoxy or pentafluoro.

17. (Previously Presented) A process for the preparation of a 5-phenylpyridine as claimed in claim 12 in which R^2 is chlorine, which comprises reacting a 2-pyridylamidine of the formula II,



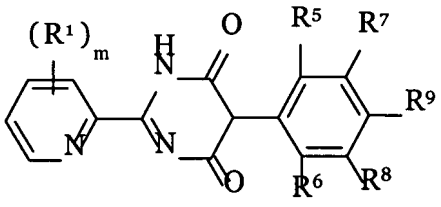
(II)

with a phenylmalonate of the formula III,



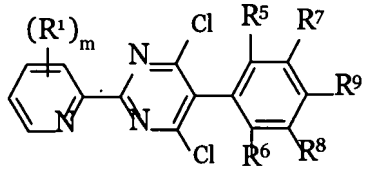
(III)

in which R is C_1-C_6-alkyl, to give a compound of the formula IV,



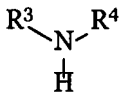
(IV)

which is converted by a chlorinating agent to a dichloropyrimidine of the formula V



(V)

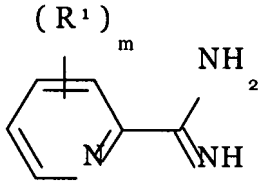
which is converted, with an amine of the formula VI



(VI)

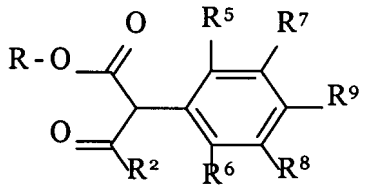
to a pyrimidine derivative of claim 1 in which R^2 is chlorine.

18. (Currently Amended) A process for the preparation of a 5-phenylpyridine as claimed in claim 12 in which R^2 is C_1-C_6-alkyl or C_1-C_6-haloalkyl, which comprises reacting a 2-pyridylamidine of the formula II



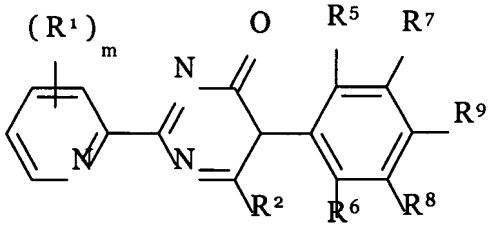
(II)

with a phenyl-b-ketoester of the formula VII,



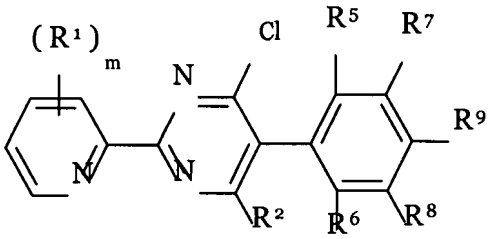
(VII)

in which R is C_1-C_6-alkyl, to give a compound of the formula IVa



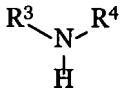
(IVa)

which is converted by a chlorinating agent to a chloropyrimidine of the formula Va



(Va)

which is converted, with an amine of formula VI,



(VI)

to a pyrimidine derivative of claim 12 in which R^2 is C_1-C_6-alkyl or C_1-C_6-haloalkyl.

19. (Previously Presented) The process of claim 17 further comprising adding N,N-dimethylformamide, or a nitrogenous base to the reaction converting formula IV to formula V.

20. (Previously Presented) The process of claim 18 further comprising adding N,N-dimethylformamide, or a nitrogenous base to the reaction converting formula IVa to formula Va.

21. (Previously Presented) The process of claim 17 further comprising conducting the reaction of converting formula II to formula IV in the presence of a base.

22. (Previously Presented) The process of claim 18 further comprising conducting the reaction of converting II to IVa in the presence of a base.

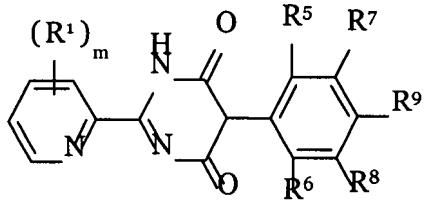
23. (Previously Presented) The process of claim 19 further comprising using an amount of said base in excess of stoichiometric amounts.

24. (Previously Presented) The process of claim 20 further comprising using an amount of said base in excess of stoichiometric amounts.

25. (Previously Presented) The process of claim 21 further comprising using an amount of said base in excess of stoichiometric amounts.

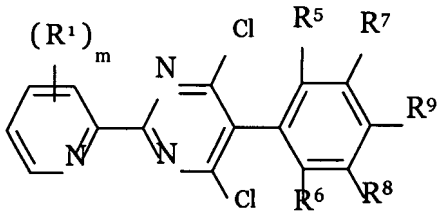
26. (Previously Presented) The process of claim 22 further comprising using an amount of said base in excess of stoichiometric amounts.

27. (Currently Amended) An intermediate of the formula IV



(IV)

or V,

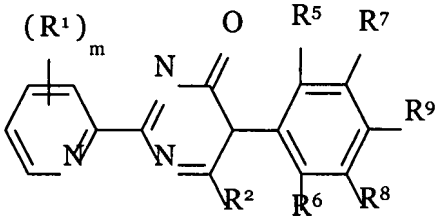


(V)

wherein R^1 is halogen, hydroxyl, cyano, oxo, nitro, amino, mercapto, C_1-C_6-alkyl, C_1-C_6-haloalkyl, C_2-C_6-alkenyl, C_2-C_6-alkynyl, C_3-C_6-cycloalkyl, C_1-C_6-alkoxy, C_1-C_6-haloalkoxy, carboxyl, C_1-C_7-alkoxycarbonyl, carbamoyl, C_1-C_7-alkylaminocarbonyl, C_1-C_6-alkyl-C_1-C_6-alkylaminocarbonyl, morpholinocarbonyl, pyrrolidinocarbonyl, C_1-C_7-alkylcarbonylamino, C_1-C_6-alkylamino, di(C_1-C_6-alkyl)amino, C_1-C_6-alkylthio, C_1-C_6-alkylsulfinyl, C_1-C_6-alkylsulfonyl, hydroxysulfonyl, aminosulfonyl, C_1-C_6-alkylaminosulfonyl or di(C_1-C_6-alkyl)aminosulfonyl; m is 0, 1, 2, 3 or 4;and the combination of the substituents R^5 to R^9 has the following meanings: ~~2-methyl-4-fluoro; 2-fluoro-4-methyl; 2,4-dimethyl; 2-chloro-6-fluoro; 2,6-difluoro; 2,6-dichloro; 2-methyl-6-fluoro; 2,4,6-trifluoro; 2,6-difluoro-4-methoxy or pentafluoro~~ R^5=methyl, R^6,R^7,R^8=H and R^9=fluoro; R^5=fluoro, R^6,R^7,R^8=H and R^9=methyl; R^5,R^9=methyl and R^6,R^7,R^8=H; R^5=chloro, R^6=fluoro and R^7,R^8,R^9=H; R^5,R^6=fluoro and R^7,R^8,R^9=H; R^5,R^6=chloro

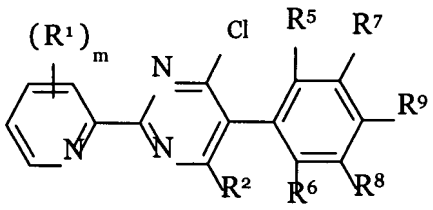
and R^7,R^8,R^9=H; R^5=methyl, R^6=fluoro and R^7,R^8,R^9=H; R^5,R^6,R^9=fluoro and R^7,R^8=H; R^5,R^6=fluoro, R^9=methoxy and R^7,R^8-H; or R^5,R^6,R^7,R^8,R^9=fluoro.

28. (Currently Amended) An intermediate of the formula IVa



(IVa)

or Va,



(Va)

wherein R^1 is halogen, hydroxyl, cyano, oxo, nitro, amino, mercapto, C_1-C_6-alkyl, C_1-C_6-haloalkyl, C_2-C_6-alkenyl, C_2-C_6-alkynyl, C_3-C_6-cycloalkyl, C_1-C_6-alkoxy, C_1-C_6-haloalkoxy, carboxyl, C_1-C_7-alkoxycarbonyl, carbamoyl, C_1-C_7-alkylaminocarbonyl, C_1-C_6-alkyl-C_1-C_6-alkylaminocarbonyl, morpholinocarbonyl, pyrrolidinocarbonyl, C_1-C_7-alkylcarbonylamino, C_1-C_6-alkylamino, di(C_1-C_6-alkyl)amino, C_1-C_6-alkylthio, C_1-C_6-alkylsulfinyl, C_1-C_6-alkylsulfonyl, hydroxysulfonyl, aminosulfonyl, C_1-C_6-alkylaminosulfonyl or di(C_1-C_6-alkyl)aminosulfonyl; m is 0, 1, 2, 3 or 4; R^2 is C1-C6-alkyl or C_1-C_6-haloalkyl; and the combination of the substituents R^5 to R^9 has the following meanings: ~~2-methyl-4-fluoro; 2-fluoro-4-methyl; 2,4-dimethyl; 2-chloro-6-fluoro; 2,6-difluoro; 2,6-~~

~~dichloro; 2-methyl-6-fluoro; 2,4,6-trifluoro; 2,6-difluoro-4-methoxy or pentafluoro~~ R^5=methyl, R^6,R^7,R^8=H and R^9=fluoro; R^5=fluoro, R^6,R^7,R^8=H and R^9=methyl; R^5,R^9=methyl and R^6,R^7,R^8=H; R^5=chloro, R^6=fluoro and R^7,R^8,R^9=H; R^5,R^6=fluoro and R^7,R^8,R^9=H; R^5,R^6=chloro and R^7,R^8,R^9=H; R^5=methyl, R^6=fluoro and R^7,R^8,R^9=H; R^5,R^6,R^9=fluoro and R^7,R^8=H; R^5,R^6=fluoro, R^9=methoxy and R^7,R^8-H; or R^5,R^6,R^7,R^8,R^9=fluoro.

29. (Previously Presented) A composition suitable for the control of harmful phytopathogenic fungi, comprising a carrier and a compound of claim 12.

30. (Previously Presented) The composition of claim 29 wherein said carrier is a solid carrier.

31. (Previously Presented) The composition of claim 29 wherein said carrier is a liquid carrier.

32. (Previously Presented) A method for the control of harmful phytopathogenic fungi, which comprises treating the fungi or the materials, plants, ground or seeds to be protected from fungal attack with an effective amount of a compound of claim 12.

33. (New) A compound as claimed in claim 12, wherein:

R^1 is propyl;

R^2 is chlorine;

R^3 is ethyl;

R^4 is hydrogen;

R^5 is fluorine;

R^6 is chlorine;

R^7, R^8 and R^9 are hydrogen.